

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY,

Plaintiff,

Case No. 2:21-cv-11940

v.

HON. DENISE P. HOOD

SAM HAKKI, M.D. A/K/A SAM HACKETTE;  
STAR PAIN MANAGEMENT & REHAB LLC;  
NEXTGEN PAIN ASSOCIATES & REHABILITATION LLC;  
ADVANCED CENTRAL LABORATORY, LLC;  
MIDWEST MEDICAL LAB LLC;  
FUTURE DIAGNOSTIC CENTER LLC;  
NABIL BEYDOUN A/K/A NABIL BAYDOUN A/K/A BILL BAYDOUN;  
ABDUL BEYDOUN A/K/A ABDUL BAYDOUN A/K/A ABE BAYDOUN;  
FOUAD BEYDOUN A/K/A FOUAD BAYDOUN A/K/A FRANK BAYDOUN;  
ANWAR BAKER;  
MUNA AFAN;  
MOHAMED EL-FAKHARANY, M.D.;  
RIAD GEORGE KHOURY, M.D.;  
VINOD SHARMA, M.D. and  
HORST GRIESSER, M.D.,

Defendants.

/

**DEFENDANT STAR PAIN MANAGEMENT  
& REHAB LLC'S ANSWER TO COMPLAINT,  
AFFIRMATIVE DEFENSES, AND RELIANCE UPON JURY DEMAND**

NOW COMES Defendant Star Pain Management & Rehab LLC, by and  
through counsel, AT Law Group, PLLC, specifically by Dewnya A. Bazzi, and for

Defendant Star Pain Management & Rehab LLC's Answer to Complaint, states as follows:

**I. NATURE OF THE ACTION**

1. Denied.

2. Denied.

3. Denied.

4. Denied.

5. Denied.

6. Denied.

7. Denied.

8. Denied.

9. Denied.

10. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

11. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

12. Denied.

13. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

14. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

## **II. JURISDICTION AND VENUE**

15. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

16. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

17. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

## **III. PARTIES**

### **A. Plaintiff**

18. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

### **B. Defendants**

#### **1. The Clinical Defendants**

##### **a) The Beydoun Clinics**

##### **(1) Star Pain**

19. Admitted.

20. Admitted.

21. Admitted.

**(2) NextGen**

22. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

23. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

24. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**(3) Baydoun Successor Clinics**

25. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

26. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

27. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

28. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

29. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

30. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

## **2. The Toxicology Companies**

### **(1) Advanced Central Labs**

31. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

32. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

33. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

34. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

35. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

36. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

37. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

38. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**(2) Midwest Medical Lab**

39. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

40. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

41. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

42. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

43. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

44. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**(3) Future Diagnostic Center**

45. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

46. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

47. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

48. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

49. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

50. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

51. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**(4) Successor Baydoun Toxicology Lab, iNova**

52. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

53. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

54. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

55. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

56. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**3. The Management Group**

**a) Sam Hakki**

57. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

58. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

59. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

60. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

61. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**b) Nabil Baydoun**

62. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

63. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

64. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.



65. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

66. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

67. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

68. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**c) Fouad Baydoun**

69. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

70. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

71. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

72. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

73. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

74. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

75. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**d) Abdul Baydoun**

76. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

77. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

78. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

79. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

80. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

81. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

82. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**e) Muna Afan**

83. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

84. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

85. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

86. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

87. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

88. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

89. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

90. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**f) Anwar Baker**

91. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

92. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

93. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

94. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

95. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

96. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

97. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**4. The Lab Director**

**a) Mohamed El-Fakharany, M.D.**

98. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

99. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

100. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**5. The Physicians**

**a) Riad George Khoury, M.D.**

101. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

102. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

103. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

104. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**a) Vinod Sharma, M.D.**

105. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

106. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

107. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

108. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**b) Horst Griesser, M.D.**

109. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

110. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

111. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

112. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

113. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

114. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

115. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

#### **IV. ALLEGATIONS COMMON TO ALL COUNTS**

##### **A. First-Party Claims for Payment Under the No-Fault Act**

116. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

117. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

118. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

119. Denied.

##### **B. Third-Party Tort Claims for Non-Economic Loss under the No-Fault Act**

120. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

121. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

122. Denied.

##### **C. Legitimate Use of Urine Drug Tests (UDTs)**

123. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

124. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

125. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

126. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

127. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

128. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

129. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

130. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**D. Federal Law Governing Laboratories  
That Perform Confirmatory UDTs**

131. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

132. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

133. Defendant denies on the basis that the Court is the sole arbiter of the law.



134. Defendant denies on the basis that the Court is the sole arbiter of the law.

- (i) Defendant denies on the basis that the Court is the sole arbiter of the law.
- (ii) Defendant denies on the basis that the Court is the sole arbiter of the law.
- (iii) Defendant denies on the basis that the Court is the sole arbiter of the law.
- (iv) Defendant denies on the basis that the Court is the sole arbiter of the law.
- (v) Defendant denies on the basis that the Court is the sole arbiter of the law.
- (vi) Defendant denies on the basis that the Court is the sole arbiter of the law.

135. Defendant denies this allegation (and all subparts) on the basis that the Court is the sole arbiter of the law.

136. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**E. The Background and Evolution of the Scheme**

**1. Hakki Forms Computerised Joint, Mini Invasive, and Begins Funneling Patients to Advanced Central Labs for UDTs to Maximize His Profits**

137. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

138. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

139. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

140. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

141. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

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148. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

149. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

150. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**2. Hakki Connects the Baydouns and Their Clinics to Advanced Central Labs**

151. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

152. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

153. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

154. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

155. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

156. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

157. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

158. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

159. Denied.

160. Denied.

161. Denied.

162. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

163. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

164. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

165. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

166. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

167. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

168. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**3. After Advanced Central Labs Fails Its CLIA Inspection and Is Sued by Allstate, the Management Group Opens MML to Take over for Advanced Central Labs**

169. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

170. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

171. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

172. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

173. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

174. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

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177. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

178. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

179. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

180. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**4. After MML Is Scrutinized by the Department of Health and its CLIA Certification is Deactivated, the Management Group Opens Yet Another New Lab, Future Diagnostic, To Take Over for MML**

181. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

182. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

183. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

184. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

185. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

186. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

187. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

188. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

189. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

190. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

191. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

192. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

193. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

194. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

195. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**F. Defendants' Fraudulent Referrals for UDTs**

196. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

197. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

198. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**a) Defendants Refer Patients for UDTs as a Matter of Course to Maximize Profits**

199. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

200. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

201. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.



202. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

203. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

204. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**b) Defendants Order Presumptive and Confirmatory UDTs Simultaneously to Maximize Profits**

205. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

206. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

207. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

208. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

209. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**c) Defendants Order Unreasonably Extensive Confirmatory Panels to Maximize Profits**

210. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

211. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

212. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

213. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**d) Defendants Ignore Physiologically Impossible UDT Results**

214. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

215. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

216. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

217. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

218. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

219. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

220. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

221. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**e) Defendants Ignore Red Flags That Could Implicate Patient Care and Safety**

222. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

223. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

224. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

225. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

226. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

227. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

228. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

229. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

230. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**f) Defendants' Duplicative Billing for Presumptive UDTs**

231. Denied.

232. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

233. Denied.

234. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**g) State Farm Mutual's Justifiable Reliance**

235. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

236. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

237. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

238. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

**V. CAUSES OF ACTION**

**FIRST CAUSE OF ACTION  
VIOLATION OF 18 U.S.C. § 1962(c)  
(Against All Defendants)**

239. Defendant incorporates and adopts all of the foregoing paragraphs as though fully set forth herein.

240. Denied.

241. Denied.

242. Denied.

(a) Denied.

(b) Denied.

(c) Denied.

(d) Denied.

243. Denied.

244. Denied.

245. Denied.

246. Denied.

WHEREFORE, Defendant respectfully requests this Honorable Court to enter an order of dismissal or, alternatively, a no cause of action in addition to all

costs, fees (including reasonable attorney's fees), sanctions, and other relief to which Defendant is entitled.

**SECOND CAUSE OF ACTION  
VIOLATION OF 18 U.S.C. § 1962(d)  
(Against All Defendants)**

247. Defendant incorporates and adopts all of the foregoing paragraphs as though fully set forth herein.

248. Denied.

249. Denied.

250. Denied.

251. Denied.

WHEREFORE, Defendant respectfully requests this Honorable Court to enter an order of dismissal or, alternatively, a no cause of action in addition to all costs, fees (including reasonable attorney's fees), sanctions, and other relief to which Defendant is entitled.

**THIRD CAUSE OF ACTION  
COMMON LAW FRAUD  
(Against All Defendants)**

252. Defendant incorporates and adopts all of the foregoing paragraphs as though fully set forth herein.

253. Denied

254. Denied

(a) Denied.

(b) Denied.

255. Denied

256. Denied

257. Denied

WHEREFORE, Defendant respectfully requests this Honorable Court to enter an order of dismissal or, alternatively, a no cause of action in addition to all costs, fees (including reasonable attorney's fees), sanctions, and other relief to which Defendant is entitled.

**FOURTH CAUSE OF ACTION  
UNJUST ENRICHMENT  
(Against All Defendants)**

258. Defendant incorporates and adopts all of the foregoing paragraphs as though fully set forth herein.

259. Denied

260. Denied

261. Denied

WHEREFORE, Defendant respectfully requests this Honorable Court to enter an order of dismissal or, alternatively, a no cause of action in addition to all costs, fees (including reasonable attorney's fees), sanctions, and other relief to which Defendant is entitled.

**FIFTH CAUSE OF ACTION  
DECLARATORY JUDGMENT UNDER 28 U.S.C. § 2201  
(Against the Controlled Labs)**

262. Defendant incorporates and adopts all of the foregoing paragraphs as though fully set forth herein.

263. Admitted.

264. Denied

265. Denied

266. Denied

267. Denied

WHEREFORE, Defendant respectfully requests this Honorable Court to enter an order of dismissal or, alternatively, a no cause of action in addition to all costs, fees (including reasonable attorney's fees), sanctions, and other relief to which Defendant is entitled.



**RELIEF**

WHEREFORE, Defendant respectfully requests this Honorable Court to enter an order of dismissal or, alternatively, a no cause of action in addition to all costs, fees (including reasonable attorney's fees), sanctions, and other relief to which Defendant is entitled.

Respectfully Submitted,

/s/ Dewnaya A. Bazzi

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Dewnaya A. Bazzi (P75310)  
AT LAW GROUP  
Attorney for Defendant Star Pain  
3 Parklane Blvd, West Tower, Ste 1500  
Dearborn, MI48126  
(313) 406-7606  
db@atlawgroup.com

Dated: November 8, 2021

**AT LAW GROUP, PLLC**  
ATTORNEYS & COUNSELORS

3 PARK LN BLVD STE 1500 WEST, DEARBORN, MICHIGAN 48126 313-406-7606

### **AFFIRMATIVE DEFENSES**

NOW COMES Defendant Star Pain Management & Rehab LLC, by and through counsel, AT Law Group, PLLC, specifically by Dewnya A. Bazzi, and for Defendant Star Pain Management & Rehab LLC's Affirmative Defenses, states as follows:

1. Defendant is not a "person" within the scope of 18 U.S.C. § 1962.
2. Defendant has not utilized a pattern of racketeering activity or any proceeds thereof.
3. Defendant is not part of an enterprise nor has Defendant infiltrated an interstate enterprise.
4. Defendant has not invested income derived from a pattern of racketeering activity in the enterprise.
5. Defendant has not acquired or maintained an interest in the enterprise through the pattern of racketeering activity.
6. Defendant has not conducted the affairs of the enterprise through the pattern of racketeering activity.
7. Defendant has not engaged in any predicate acts necessary to establish a civil claim for violation of the Racketeer Influenced and Corrupt Organizations Act.

8. Defendant has not conspired to commit any of the acts necessary to establish a civil claim for violation of the Racketeer Influenced and Corrupt Organizations Act.

9. Plaintiff has not sustained an injury to his business or property by reason of one of any act necessary to establish a civil claim for violation of the Racketeer Influenced and Corrupt Organizations Act.

10. Plaintiff's claims are barred by accord and satisfaction.

11. Plaintiff's claims are barred by a pre-existing pending action.

12. Plaintiff's claims are barred by comity.

13. Plaintiff's claims are barred by one or more abstention doctrines.

14. Plaintiff's claims are barred by lack of joinder of claims.

15. Plaintiff's claims are barred by lack of joinder of parties.

16. Plaintiff's claims are barred by failure to plead special or exemplary damages.

17. Plaintiff's claims are barred by recoupment.

18. Plaintiff's claims are barred by release.

19. Plaintiff's claims are barred by satisfaction.

20. Plaintiff's claims are barred by settlement agreement.

21. Plaintiff's claims are barred by waiver.

22. Plaintiff's claims are improper, were brought in the wrong action and/or were brought by an improper party.

23. Plaintiff's claims are barred by duress.

24. Plaintiff's claims are barred by voluntary payment.

25. Plaintiff's claims are barred by release.

26. Plaintiff's claims are barred by res judicata.

27. Plaintiff's claims are barred by collateral estoppel.

28. Plaintiff's claims are barred by equitable estoppel.

29. Plaintiff's claims are barred by judicial estoppel.

30. Plaintiff's claims are barred by estoppel by contract.

31. Plaintiff's claims are barred by quasi estoppel.

32. Plaintiff's claims are barred by statute of limitations.

33. Plaintiff's claims are barred by lack of standing.

34. Plaintiff's claims are barred by lack of proximate cause between Defendant's conduct and Plaintiff's damages.

35. Plaintiff's claims are barred by failure to plead alleged fraud with the requisite specificity.

36. Plaintiff's claims are barred by failure to state a claim upon which relief can be granted.

37. Defendant reserves the right to add any additional affirmative defenses as they become known.

Respectfully Submitted,

/s/ Dwnya A. Bazzi

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Dwnya A. Bazzi (P75310)  
AT LAW GROUP  
Attorney for Defendant Star Pain  
3 Parklane Blvd, West Tower, Ste 1500  
Dearborn, MI48126  
(313) 406-7606  
db@atlawgroup.com

Dated: November 9, 2021

**RELIANCE UPON JURY DEMAND**

Defendant hereby relies upon the Jury Demand made by Plaintiff pursuant to FED.

R. Civ. P. 38(b).

Respectfully Submitted,

/s/ Dwnya A. Bazzi

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Dwnya A. Bazzi (P75310)  
AT LAW GROUP  
Attorney for Defendant Star Pain  
3 Parklane Blvd, West Tower, Ste 1500  
Dearborn, MI48126  
(313) 406-7606  
db@atlawgroup.com

Dated: November 9, 2021

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document along with a Certificate of Service was electronically filed on November 9, 2021 with the Court's e-filing system, which will send notification of such filing to all attorneys of record.

Respectfully Submitted,

/s/ Dewnaya A. Bazzi

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Dewnaya A. Bazzi (P75310)  
AT LAW GROUP  
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